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SUBJECT: NGO: OVER 16,000 CHILD LABORERS RESCUED IN MAHARASHTRA  
RAIDS

REF: A: MUMBAI 1339; B: NEW DELHI 5323

Summary

1. (U) A dramatic upsurge in Government of Maharashtra (GOM) attention to child labor issues and a series of coordinated raids in Mumbai resulted in the rescue of over 16,000 children working in hazardous industries in recent months. Police, in coordination with the newly created child labor task force, removed close to 2,000 children from workshops during a prolonged series of raids between June 1 (Ref A) and July 17. Workshop owners later released another 14,400 child workers voluntarily in the face of high-level government attention to child labor issues, according to the NGO PRATHAM. Although some children have returned to workshops in Mumbai and elsewhere, NGO representatives have tracked the return of several thousand children to their homes, often in other states including Bihar, Orissa, and West Bengal. Task force members learned from some deficiencies of initial raids (Ref B) and began utilizing volunteers as counselors and temporary parole officers to minimize the victimization of the children. Other states have sought to emulate Maharashtra's anti-child labor collaboration between the government, NGOs and the police. However, the process of rehabilitation for the child laborers is hindered by legal and financial constraints. Due to a lack of educational opportunities and extreme poverty in their home districts up to an estimated 40 percent of the rescued children may return to work in Mumbai or other cities. End Summary.

Voluntary Releases and Additional Raids?

2. (U) Following the well publicized May death of a 12 year-old boy caused by physical abuse in a embroidery (zari) sweatshop, GOM Deputy Chief Minister R.R. Patil established a child labor task force to eliminate child labor in hazardous industries. The task force, consisting of GOM officials, NGO representatives and police, cooperated to plan an unprecedented series of raids on workshops employing children 14 and under in certain sectors such as zari workshops, goldsmith workshops, and balloon making units. The raids were conducted between June 1 (ref A) and July 17. Bhagwan Sahay, Maharashtra State Secretary of Industries, Energy and Labor estimates that 1,920 children were rescued over the course of 6 weeks. Of these only 2 percent of the children were from Maharashtra with the rest coming from Orissa, W. Bengal, Bihar, and Nepal. Sahay acknowledged there had been no raids since July 17 due to the record monsoon flooding in Mumbai followed by several large city-wide festivals. His Labor Ministry served notice to workshop owners to send all children under 15 home within six weeks. Dr. Farida Lambay, co-founder of PRATHAM, told us that workshop owners voluntarily released over 14,000 more children in the weeks following the raids. Using their database of child laborers, PRATHAM tracked the return home of most of these children to their home districts.

3. (SBU) The GOM announced in June its intention to remove all children 14 and under from hazardous labor by November 14, Nehru's birthday which is also celebrated as Children's Day in India. According to Vikas Sawant, PRATHAM Child Labor Project Coordinator and child labor task force member, the goal will not be reached, but he praised the overall deterrent effect of the raids so far. In the past approximately one raid had been conducted per year, which had been seen by workshop owners as a pro-forma affair. Concentrated government attention to the issue has convinced many workshop owners that they now must respect the law. He believes the task force will continue its work in earnest and additional raids will likely be necessary to convince "more politically connected" workshop owners to comply.

PRATHAM

4. (SBU) PRATHAM has used its work helping child laborers to gather substantial data on underage working children in Mumbai. According to Lambay, PRATHAM was established with the goal of providing quality primary education for all children after a

1994 survey showed 200,000 children out of school in Mumbai. PRATHAM focused initially on pre-primary education and bridge classes to help older children with no schooling and dropouts to catch up and join formal schools. PRATHAM identified a significant need among working children for educational facilities. With the refusal of workshop owners to allow the children to attend formal school, PRATHAM offered classes in the workshops themselves. About 50 percent of the workshop owners allowed PRATHAM to offer classes for 30 minutes at first gradually going to three hours a day. The NGO pressured employers to curb abuses and improve conditions and helped children maintain contact with parents through letter writing. Through this interaction PRATHAM was able to create an index card database of 21,000 working children with names, locations, birthdates, home addresses and often the name and signature of the employers. This hard evidence of child labor helped PRATHAM demonstrate the scope of the child labor problem to the GOM. The child labor task force used the database to plan the raids.

#### Some Lessons Learned

15. (U) Several NGOs noticed deficiencies in the initial raids (Ref B) and took steps to mitigate the victimization of the children rescued from the workshops. To prevent children themselves from feeling like offenders, PRATHAM organized school buses for the children for transport as opposed to police vans. After being rescued, the children were brought to remand homes which provided no physical separation between the child laborers and other juvenile offenders. NGOs sent volunteers to the homes to provide educational activities and entertainment to the children. Initially, workshop owners brought the parents of released workers or persons posing as parents to the remand homes to get the children. These parents often turned over the children to the workshop owners immediately after gaining their release from the remand homes. To stop such practices, PRATHAM and other NGOs sent voluntary parole officers to do case studies on each child. The Child Welfare Committee responsible for acting in the interest of the rescued children began arranging transport for the children to their home districts. Responsibility for assuring the continuing welfare for these children was assumed by the magistrates and Child Welfare Committees in the children's home districts.

#### Some Children Returned and More Steps Needed

16. (U) Some of the rescued children have returned to work due to extreme poverty at home and their parents' desire for them to learn a skilled trade. In the slum area Madanpura in Mumbai PRATHAM had a record of 4,224 child laborers before the raids, whereas the number now working there is 198. However, until authorities in the source districts for immigration to Mumbai are better able to provide education and economic alternatives, there is no way of knowing whether children would be sent back to work in other places. Dr. Nilima Mehta of the Mumbai Child Welfare Committee estimated that up to 40 percent of rescued children may go back to work elsewhere. Some children from Bihar became beneficiaries of NGO sponsored educational programs in the state. Lambay explained that some children with release certificates received 5,000 rupees (about \$111) and one acre of land. Other children, whose parents promised in writing not to return them to child labor, were eligible for a 3,000 rupee (about \$66) National Savings Certificate to be bought by the ex-employer. However, overall economic prospects in the home districts for the many of the children are bleak.

17. (U) Lambay hopes some prosecutions of workshop owners will provide a major disincentive to hire children 14 and under. However, she laments the slow judicial process, difficulties in applying several conflicting pieces of legislation relating to child labor, and the inefficient collection process of child labor related fines. She advocates harmonizing anti-child labor legislation to ensure conformity and facilitate successful prosecutions. According to State Labor Minister Sahay the government will seek jail time for the workshop owners arrested in the raids and try to ensure the owners pay the 20,000 rupees (about \$444) fine per child. Sahay claims to have met with workshop owners to explain the need to provide proof that all their employees are 15 or older, either through school records or medical tests. Workshop conditions must be improved in line with the Factories Act.

#### National Impact/Sharing the Model

18. (U) The Maharashtra model of government, NGO, and police cooperation in data sharing and planning raids received national attention. Other state governments learned about the initiative in a recent chief ministers' conference in New Delhi and now other state administrators appear to be emulating the model. According to PRATHAM's Vikas Sawant, the model was used in Surat in Gujarat to target child labor in textile packing units. His organization worked with government authorities and police in Surat in southern Gujarat to conduct 2 separate raids in August. He estimates that 176 underage children were rescued in the two raids. Most of the children had been brought to Surat from Rajasthan to work long hours packing saris in textile markets.

Comment  
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19. (SBU) The overall effect so far of the workshop raids and the GOM's high level attention to child labor issues has been positive. However, a long term solution to the problem will require sustained support for the work of the task force and a push to impose full criminal penalties and fines for violators of the law. Significant legal and resource constraints need to be addressed to facilitate the successful prosecution of violators and ensure a victim-friendly rehabilitation and reintegration process. Given the absence of universal primary education facilities in all states, the ultimate fate of the children rescued and sent home still troubles many practitioners working to prevent child labor in Mumbai. However, the GOM should be credited for taking an initial but significant step forward to meeting its commitments to combat child labor in hazardous industries. End Comment.

OWEN